

MINUTES OF THE REGULAR CITY COUNCIL MEETING
TUESDAY- -OCTOBER 6, 2009- -7:30 P.M.

Mayor Johnson convened the regular meeting at 7:48 p.m.

ROLL CALL - Present: Councilmembers deHaan, Gilmore,
Matarrese, Tam, and Mayor Johnson - 5.

Absent: None.

AGENDA CHANGES

(09-373) Mayor Johnson announced that the Recommendation to Amend the Measure WW Proposed Project List [paragraph no. 09-391] would be continued; and the Resolution of Appointment [paragraph no. 09-377] was addressed before the Consent Calendar.

The Interim City Manager stated receiving the bond counsel opinion [on Measure WW funding] could take thirty days; the item would be placed on the next City Council agenda if the letter is received in time.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

(09-374) School Board Member Tracy Jensen stated tomorrow is the Ninth Annual Walk & Roll to School Day; the Alameda County Safe Routes to Schools Program selected Alameda as one of the cities to work with on a year-round basis; announced Councilmembers would be at various schools.

(09-375) Proclamation Recognizing the Benefits of Public Power and Honoring Alameda Power and Telecom for Its Contributions to the Community.

Mayor Johnson read and presented the proclamation to Public Utilities Board Member Peter Holmes; stated Alameda is much greener than other competitors.

Mr. Holmes stated approximately seventy percent of all energy used in Alameda is green, renewable energy; thanked Council for the recognition; stated this week is the national celebration of Public Power Week.

Mayor Johnson inquired what percentage of Pacific Gas & Electric's (PG&E's) portfolio is renewable, to which Mr. Holmes responded significantly less than Alameda.

The Alameda Municipal Power (AMP) General Manager stated PG&E's

percentage is approximately 12% to 13%; the State is setting a goal of 33% by 2020.

Vice Mayor deHaan stated Alameda is 83% carbon free and 63% renewable.

The AMP General Manager stated that Alameda owns hydroelectric power, which counts as carbon free, but the law does not recognize it as renewable; Alameda is number one in the State in terms of renewable power.

Mayor Johnson stated plugging in an electric car in Alameda is truly green.

(09-376) Proclamation Declaring October as Disability Awareness Month.

Mayor Johnson read and presented the proclamation to Audrey Lord-Hausman, Commission on Disability Issues Chair.

Ms. Lord-Hausman thanked Council for the proclamation; stated that she is accepting the proclamation in memory of Commissioner Adrienne Longley-Cook, who passed away two weeks ago; noted the Special Services Resource Faire will take place on October 24.

REGULAR AGENDA ITEM

(09-377) Resolution No. 14387, "Appointing Cullen L. Jones as a Member of the Housing Commission (Senior Tenant Seat)." Adopted.

Councilmember Matarrese moved adoption of the resolution.

Councilmember Tam seconded the motion, which carried by unanimous voice vote - 5.

The City Clerk administered the Oath of Office and presented a certificate of appointment to Mr. Jones.

Mr. Jones stated that he is honored to serve.

CONSENT CALENDAR

Mayor Johnson announced that the Recommendation to Authorize the Purchase of Four Marked Ford Crown Victoria Police Vehicles [paragraph no. 09-380] and Introduction of Ordinance [paragraph no. 09-385] were removed from the Consent Calendar for discussion.

Councilmember Matarrese moved approval of the remainder of the

Consent Calendar.

Councilmember Tam seconded the motion, which carried by unanimous voice vote - 5. [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(*09-378) Minutes of the Regular City Council Meeting held on September 15, 2009.

(*09-379) Ratified bills in the amount of \$2,936,123.46.

(09-380) Recommendation to Authorize the Purchase of Four Marked Ford Crown Victoria Police Vehicles Through the Los Angeles County Vehicle Bid Contract at a Cost Not to Exceed \$100,000.00.

Vice Mayor deHaan stated Dodge Charger models did not pan out; inquired whether Dodger Chargers [purchased in Fiscal Year 2007-2008] would be replaced.

The Police Lieutenant responded in the negative; stated the four cars recommended for replacement are older Ford Crown Victoria's.

Vice Mayor deHaan inquired how many miles are on the older cars.

The Police Lieutenant responded three of the four cars have been taken out of the fleet due to irreparable damage; stated two were involved in traffic accidents; another car has 135,000 miles and has rear axel damage; stated the fourth car has 107,000 miles.

Vice Mayor deHaan inquired whether any purchases were made last year, to which the Police Lieutenant responded in the negative.

Vice Mayor deHaan moved approval of the staff recommendation.

The Interim City Manager stated staff has been working with an outside consultant who has been very successful in converting large agency fleets to totally green; staff is committed to making the conversion over the next eighteen to twenty-four months; currently, some older cars are a challenge; opportunities exist for departments to go to clean fuel; petroleum based cars are needed sometimes.

Councilmember Matarrese inquired whether two of the cars are old and two were damaged in accidents.

The Police Lieutenant responded all of the cars are old; two of the cars were damaged in accidents and not repaired.

Mayor Johnson inquired whether other Police Departments quit ordering Dodge Chargers.

The Police Lieutenant responded that he has not heard any positive comments regarding Dodge Chargers.

Vice Mayor deHaan inquired whether Ford has announced that it will not make police cars next year.

The Police Lieutenant responded Ford has made the statement several times; interceptor models were to be phased out in 2008; now, the date has been pushed out to 2011 or 2012.

Councilmember Tam seconded the motion, which carried by unanimous voice vote - 5.

(*09-381) Recommendation to Adopt Plans and Specifications and Authorize a Call for Bids for the Alameda Harbor Bay Barge Replacement Project, No. P.W. 06-09-19. Accepted.

(*09-382) Recommendation to Reject the Sole Bid and Resolution No. 14388, "Authorizing Open Market Negotiations of a Contract Pursuant to Section 3-15 of the Alameda City Charter for the Alameda Harbor Bay Channel Dredging Project, No. P.W. 06-09-14, and Authorizing the Interim City Manager to Enter into Such an Agreement." Adopted.

(*09-383) Resolution No. 14389, "Authorizing the Interim City Manager or Designee to Negotiate and Execute a Financial Assistance Agreement from the State Water Resources Control Board and Any Amendments or Change Orders Thereto and Certify Financial Agreement Disbursements on Behalf of the City of Alameda for the Installation of Mechanical Trash Racks at Storm Water Pump Stations." Adopted.

(*09-384) Resolution No. 14390, "Authorizing the Interim City Manager or Designee to Negotiate and Execute a Financial Assistance Agreement from the State Water Resources Control Board and Any Amendments or Change Orders Thereto and Certify Financial Agreement Disbursements on Behalf of the City of Alameda for the Rehabilitation of the Structural Stability of Approximately 3,000 Linear Feet of the Southshore Lagoon Seawalls Adjacent to City Streets." Adopted.

(09-385) Introduction of Ordinance Amending Ordinance No. 2497, New Series, By Amending Subsection 19(a) (Medical Insurance) and By Amending Subsection 19(b) (Dental) of Section 19 (PERS Pension Fund) Regarding Public Safety Employees Hired After November 1, 2009. Introduced.

Councilmember Tam stated the Public Safety contract process calls for a committee to be formed to have management and public safety unions sit at a table and develop a mutually agreeable retiree medical benefit; one of the public safety contracts states that the committee would begin meeting within thirty days of the Memorandum of Understanding (MOU) which was adopted on August 3; that she assumes the committee met.

The City Attorney stated the proposed ordinance is the first step necessary to make changes to the retiree medical benefits for future public safety employees; public safety employees hired after November 1, 2009 would have medical retirement benefits suspended until the group meets to determine the benefits; the process may take a while; the first step in the process is to have Council change the benefits for future public safety hires.

Councilmember Matarrese inquired whether future negotiations would set benefits, not proposed ordinance, to which the City Attorney responded in the affirmative.

Councilmember Gilmore inquired whether amending the ordinance is a prerequisite to getting negotiators together.

The City Attorney responded in the affirmative; stated otherwise, an overlap would occur; until the ordinance is changed, the provision for fully paid medical and dental benefits for retirees and spouses would apply to [public safety] employees hired; the ordinance needs to be changed so that there is some certainty about benefits for new hires.

Councilmember Gilmore inquired whether introduction of the ordinance is being done as an abundance of caution, not necessarily because there are plans to add new hires to either of the public safety units.

The City Attorney responded in the affirmative; stated the ordinance would also be a notice to future hires that retiree medical benefits will be whatever is negotiated.

Councilmember Tam inquired whether [public safety] employees hired after November 1, 2009, retiree healthcare benefits would be pending and contingent upon the group reaching a mutually agreeable provision, to, which the City Attorney responded in the affirmative.

Councilmember Tam inquired whether a mutually agreeable provision would need Council approval and to go through the public safety labor groups' process before being incorporated into the respective

MOU's, to which the City Attorney responded in the affirmative.

Councilmember Tam inquired what would happen if a mutually agreeable option does not occur, to which the City Attorney responded it is possible that it could reach an impasse.

Councilmember Tam inquired whether new hires are represented through a bargaining unit.

The City Attorney responded existing employees are represented by the MOU; people who have not been hired have no rights under the MOU; amending the ordinance is important so that confer rights are not placed upon people who have not yet been hired.

Councilmember Gilmore inquired whether an individual hired in December 2009 would take the position knowing that they are not entitled to any retiree healthcare benefits, to which the City Attorney responded in the affirmative.

Vice Mayor deHaan inquired whether a new hire would not be entitled to healthcare benefits for five years, to which the City Attorney responded it depends on the bargaining group.

Mayor Johnson stated that she does know of any other city that has the same retiree medical benefits; hopefully, the committee can work together to agree on a proposal to the Council that works for the City long term; the current healthcare benefits provided to public safety retirees and spouses is much too generous; other employees' retirement benefits are much lower.

The Human Resources Director stated newly hired public safety employees would be entitled to the same retirement healthcare benefits as other [non public safety] employees, which is the minimum employer contribution of approximately \$101 per month toward the premium.

Mayor Johnson stated amending the ordinance would wipe the slate clean to work out a new agreement.

Councilmember Gilmore stated the City cannot sustain the current benefits provided to public safety; inquired whether the bargaining units would need to ratify whatever the committee comes up with for Council approval.

The Human Resources Director responded the process would be very similar to any meet and confer issue; stated the matter would go to the bargaining unit for a ratification vote and would then come to Council for a vote before being implemented.

Councilmember Tam stated that she would like clarification on the City Attorney stating that a new hire [public safety] would not receive any benefits versus the Human Resources Director stating that a new hire would receive the same benefits as other City employees.

The Human Resources Director stated a newly hired public safety employee who is vested and retires under PERS would be eligible for the PERS medical retiree health benefit of approximately \$101 per month that the employers pays toward the medical premium in accordance with the PERS contract.

Mayor Johnson stated moving forward on the matter is necessary; retirees receive a more extensive benefit than employees because there is no cap; taxpayers pay the full cost of whatever plan the retirees picks for themselves and their spouse; changes need to be made; that she is glad the first step has come to Council.

Councilmember Matarrese moved introduction of the ordinance.

Vice Mayor deHaan seconded the motion, which carried by the following voice vote: Ayes: Councilmembers deHaan, Gilmore, Matarrese, and Mayor Johnson - 4. Abstention: Councilmember Tam - 1.

(*09-386) Ordinance No. 3001, "Amending the Alameda Municipal Code by Adding Section 59 at Article IV to Chapter II Pertaining to Contracts in Writing." Finally passed.

(*09-387) Ordinance No. 3002, "Amending Ordinance No. 1277, N.S. to Rezone Approximately 4.7 Acres Located at 1 Singleton Avenue, APN 074-0905-010-01, from M-2-PD, General Industrial (Manufacturing) Planned Development District, to R-4-PD, Neighborhood Residential Planned Development District Zoning Designation." Finally Passed;

(*09-387 A) Ordinance No. 3003, "Amending Ordinance No. 1277, N.S. to Rezone Approximately 5 Acres Located at 2189 and 2201 Clement Avenue, APNs 071-0289-007-03 and 074-0289-004-00, from M-2, General Development Residence District, to R-2-PD, Two-Family Planned Development District Zoning Designation." Finally Passed;

(*09-387 B) Ordinance No. 3004, "Amending Ordinance No. 1277, N.S. to Rezone Approximately 4.14 Acres Located at 2015/2025 Grand Street, APN 072-0381-002-00 and 072-0381-001-00, from M-2, General Industrial (Manufacturing) District to R-4-PD, Neighborhood Residential Planned Development District." Finally Passed;

(*09-387 C) Ordinance No. 3005, "Amending Ordinance No. 1277, N.S.

to Rezone Approximately 2.78 Acres Located at 2100 Clement Avenue/1924 Willow Street, APN 071-0228-001-02 from M-1, Intermediate Industrial (Manufacturing) District to R-2-PD, Two Family Residence Planned Development District Zoning Regulation." Finally Passed;

(*09-387 D) Ordinance No. 3006, "Amending Ordinance No. 1277, N.S. to Rezone Approximately 1.9 Acres Located at 1913 Sherman Street, APN 074-0906-031-08, from M-1-PD, Intermediate Industrial (Manufacturing) Planned Development District to R-2-PD, Two Family Residence Planned Development District Zoning Designation." Finally Passed; and

(*09-387 E) Ordinance No. 3007, "Amending Ordinance No. 1277, N.S. to Rezone Approximately 2.1 Acres 1590/1616 Fortmann Way, APN 072-0381-018-00, from M-2, General Industrial (Manufacturing) District to R-4-PD, Neighborhood Residential Planned Development District Zoning Designation to Bring Zoning Designations for Six Properties into Conformance with the General Plan and Housing Element." Finally passed.

CITY MANAGER COMMUNICATIONS

(09-388) Telephone Contract Update

The Deputy City Manager gave a brief presentation.

Councilmember Gilmore inquired whether the new system would provide the exact location of a 911 call, to which the Deputy City Manager responded that she would check.

Councilmember Gilmore stated that she would like the new system to have clear transfer and conference buttons.

Councilmember Tam inquired whether the new system would have conferencing ability, to which the Deputy City Manager responded in the affirmative.

Councilmember Gilmore inquired whether the City has the bandwidth to handle everything.

The Interim City Manager responded staff initially estimated a cost savings of \$165,000 per year; the \$165,000 savings could be used to do something with the overall City computer system, turning a liability into an asset.

(09-389) Proposition 1A Securitization Proposal

The Deputy City Manager gave a brief presentation.

Councilmember Matarrese inquired whether the State has to pay money back or can choose to keep the money until it borrows money again.

The Deputy City Manager responded the State has to pay the money back in three years; continued the presentation.

In response to Mayor Johnson's inquiry, the Interim City Manager stated the State is running a revolving loan program at cities' expense; the City should participate if there is no downside in terms of loss of money to the City; the City should participate as long as the interest rate comes out in the City's favor; that she has a philosophical problem with the issue.

Mayor Johnson inquired whether the interest rate has been set.

The Deputy City Manager responded the interest rate has been set at 2%; the City is making a little more; the State Department of Finance rate will stay fixed through 2013.

Vice Mayor deHaan inquired whether the State would take three years to pay the money back, to which the Deputy City Manager responded in the affirmative.

Vice Mayor deHaan stated the City participated in the program last time, and then the State came up with the money within two months.

The Deputy City Manager stated the State is paying the full cost associated with the issue this time.

The Interim City Manager stated the construct is that cities would participate because the market is down; staff would not recommend participation unless it is in the City's best financial interest.

Vice Mayor deHaan stated the State can take money within a ten year window; inquired when the ten year window is up.

The Deputy City Manager responded the first take was in FY 2004-2005 or FY 2005-2006.

Vice Mayor deHaan inquired whether the League of California Cities is contemplating any other action.

Councilmember Tam responded in the affirmative; stated that she would report on the League proposed ballot measure [under Council Communications].

Councilmember Gilmore inquired whether the City has lost \$6.8 this

fiscal year between property taxes and redevelopment funds.

The Interim City Manager responded \$7.8 million has been taken in fifteen months.

Vice Mayor deHaan inquired whether staff has any idea of what the State's shortfall will be next year.

The Interim City Manager responded estimates are approximately \$15 billion; however the State's last error factor was 30%.

(09-390) City-School District Linkages Update

The Interim City Manager gave a brief presentation.

Councilmember Matarrese stated that he hopes to discuss the notion of the State allowing school districts to dispose of assets for the purpose of funding operations; that he would not like to aid and abet something that five years from now would cause lots of trouble.

The Interim City Manager stated a recurrent revenue streams solutions are needed; housing has some opportunities.

Councilmember Matarrese stated the matter should be discussed and proceeding needs to be done very careful.

Vice Mayor deHaan inquired whether the amount of funding the City provides to support schools has been reviewed.

The Interim City Manager responded the list has not been updated.

REGULAR AGENDA ITEMS

(09-391) Recommendation to Amend the Measure WW Proposed Project List to Include a \$2 Million Grant to the Boys & Girls Club for the Completion of Construction of Its Youth Development Center in Accordance with the Terms and Conditions Outlined Herein. Continued.

(09-392) Recommendation to Accept the Report of the Economic Development Commission's (EDC) Business Retention Subcommittee.

Justin Harrison, EDC Subcommittee Chair, gave a brief presentation.

Mayor Johnson inquired whether the high start up fees are building department fees.

The Economic Development Director responded start up and build out permit fees are expensive in addition to the time involved; stated some fees are out of the City's control, such as the Health Department, ABC Licenses, and School District.

Councilmember Tam stated people think that parking costs are an issue; the City's parking costs are only fifty cents per hour.

Mr. Harrison stated that people think costs businesses pay as fees for providing clientele parking are high.

Mayor Johnson inquired Mr. Harrison is referring to an in-lieu fee, to which Mr. Harrison responded in the affirmative.

Councilmember Tam stated most of the positive survey responses seem to be around 22% to 24%; inquired at what threshold does the EDC consider a matter to be worth addressing.

Mr. Harrison responded the survey revealed that a lot of people do not know about certain programs.

Councilmember Tam stated the public loves the Police Department; that she is puzzled to find that over sixty percent do not want to be contacted by a City representative or EDC member.

Mr. Harrison stated a lot of people participated in the anonymous survey; a lot of people just wanted to provide input.

Vice Mayor deHaan stated past EDC surveys indicated a strong desire for an ombudsman; inquired whether there is better interface with retailers now.

The Economic Development Director responded assistance is provided; stated the idea of having one person take an individual through the whole process for a fee still is mentioned; working with the same person and having consistency are important; hopefully, merging Economic Development with the Community Development Department will improve customer service.

Councilmember Gilmore stated for years the Community Development Department had a customer service team; the one stop permit center was one of the recommendations; inquired whether the EDC reviewed the matter; stated many areas overlap.

The Economic Development Director responded one of the EDC recommendations is to continue customer service review; stated the report provides helpful recommendations, such as updating the City's website.

Mr. Harrison stated the Subcommittee did not receive responses on immediate issues, such as advertising or City help to attract new businesses; responses dealt with long-term issues; a separate Subcommittee reviewed at business attraction; the process will be refined in the future.

Councilmember Matarrese thanked the EDC for the hard work; stated having permit information available on the website is necessary; people expect to do business through mobile locations; that he wholeheartedly supports the website recommendation which could reap benefits with a relatively small output.

Mayor Johnson stated improving facilities has always been an issue for new businesses; consolidating the Economic Development and Community Development Departments will help; time is money for businesses; that she hopes to see big improvements in the next several months.

Mr. Harrison thanked Economic Development staff for working so hard on the report.

Mayor Johnson stated Economic Development seems to have a good line of communication with businesses; the street scaping project has done great things for individual business as well as the entire business district.

Mr. Harrison stated the Subcommittee heard good things about what Economic Development does for businesses.

Vice Mayor deHaan moved approval of the staff recommendation.

Councilmember Matarrese seconded the motion, which carried by unanimous voice vote - 5.

ORAL COMMUNICATIONS, NON-AGENDA

(09-393) Jean Sweeney, Alameda, submitted a handout; discussed the Alameda Point Development Initiative; encourage the Initiative be thrown out.

Councilmember Tam stated the submitted Election Code page is in very small print; inquired whether said page is from the City's website, to which the City Clerk responded the page is from the State's website.

Vice Mayor deHaan stated concerns have been raised; inquired who would be the staff point person to address the concerns.

The Interim City Manager responded the initiative is not the City's initiative.

The City Clerk stated the City Clerk's office verified that all Election Code requirements were met, verified that the proponent is a registered voter, and followed the typical process before accepting the initiative petition.

Vice Mayor deHaan inquired whether the City Clerk saw the petition that was circulated.

The City Clerk responded the format and every signature and declaration of circulation page was reviewed.

Vice Mayor deHaan inquired whether there is a discrepancy in the title.

The City Attorney responded that she does not know the facts; stated the summary and title prepared by the City Attorney's office should have been used.

Vice Mayor deHaan inquired where an individual would go to discuss the issue.

The City Clerk stated the title in the text of the initiative differs from the City Attorney's title; the same situation applies to the firefighter initiative; the City only has control over the title drafted by the City Attorney's office; the City Attorney's title was published and was on the front page and every signature page of the circulated petition.

Vice Mayor deHaan inquired whether there should be some consistency, to which the City Attorney responded that she does not know the facts.

Vice Mayor deHaan inquired whether people could come to the City Attorney to discuss the matter.

The City Attorney responded that she is always willing to discuss the matter; stated the City Attorney's office cannot provide legal advice to community members.

Mayor Johnson stated people could challenge the issue; the City is limited and cannot be the resource for every question that comes up.

Councilmember Matarrese inquired what process would need to be used

to challenge the issue; further inquired whether someone would need to hire an attorney and file a lawsuit.

The City Attorney responded in the affirmative; stated the City Attorney's office cannot provide legal support services to the general community.

COUNCIL REFERRALS

None.

COUNCIL COMMUNICATIONS

(09-394) Consideration of Mayor's nominations for appointment to the Commission on Disability Issues, Library Board and Recreation and Park Commission.

Mayor Johnson nominated Nielsen Tam for the Commission on Disability Issues; Suzanne Whyte for the Library Board; and Michael B. Cooper and Terri Bertero Ogden for the Recreation and Park Commission.

(09-395) Councilmember Tam stated that she attended the League of California Cities Annual Conference along with Vice Mayor deHaan and Councilmember Gilmore; the voting delegates passed three resolutions; one dealt with encouraging local jurisdictions to enact ordinances or policies that would hold the host responsible for under aged drinking that occurs at property under the host's possession, control, or authority; the voting delegates also passed a resolution that requests the League to put forth a ballot measure for the November 2010 election that would clean up the loopholes of Proposition 1A; the League conducted a poll in May 2009 that showed the level of public confidence with the State Legislature and Governor declined to a historic low; it is the right time to demand reforms.

Mayor Johnson stated that she is glad people are paying attention to what the State is doing.

Councilmember Tam stated the League is eliciting the help of the local officials to try to gather at least 100 signatures from each City.

Mayor Johnson inquired whether Councilmember Tam would get signature forms.

Councilmember Tam responded in the affirmative; stated City resources cannot be used for political activity; further stated the

last resolution passed by the voting delegates dealt specifically with Southern California Edison and requested sending a letter of opposition to their desire to place some equipment above ground in underground districts; some Southern California people are upset that Southern California Edison is requesting exemptions; Southern California Edison feels the exemptions are necessary for worker safety.

Councilmember Matarrese stated it is important to ensure that the City does not have issues that might be parallel to what Southern California Edison is attempting to do; the City has a major underground effort; the City has to ensure that workers are not put at risk and that the City does not run into the same problem.

(09-396) Councilmember Gilmore stated that she attended an e-services session at the League Conference; the City of West Sacramento just instituted its first electronic service for citizens; Cupertino has approximately twenty plus e-services; the Cupertino technology person stated that instituting e-services is wonderfully convenient for residents and business people but does not take the place of the old fashion way of doing things; certain people will always like to interface with human beings versus computers.

Mayor Johnson stated providing more information on the website is important; court documents can be obtained on the website.

The City Clerk noted LaserFiche is now live on the website and the Municipal Code is completely searchable and will be kept current.

(09-397) Vice Mayor deHaan stated that he attended a session regarding the economic situation at the League Conference; some municipalities will be flattening out in 2011; property taxes are a key element; the news is not good.

ADJOURNMENT

There being no further business, Mayor Johnson adjourned the meeting at 9:49 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

The agenda for this meeting was posted in accordance with the Brown Act.

MINUTES OF THE SPECIAL CITY COUNCIL MEETING
TUESDAY- -OCTOBER 6, 2009- -6:00 P.M.

Mayor Johnson convened the Special Meeting at 6:10 p.m.

ROLL CALL - Present: Councilmembers deHaan, Gilmore,
Matarrese, Tam, and Mayor Johnson - 5.

Absent: None.

The Special Meeting was adjourned to Closed Session to consider:

(09-369) Conference with Legal Counsel - Anticipated Litigation
54956.9 (b); Number of cases: One.

(09-370) Conference with Labor Negotiators; Agency negotiators:
Karen Willis and Craig Jory; Employee organizations: All Bargaining
Units; and

(09-370 A) Conference with Labor Negotiator; Agency negotiator:
City Council Subcommittee; Employee: Interim City Manager.

Following the Closed Session, the Special Meeting was reconvened and Mayor Johnson announced that regarding Anticipated Litigation, Council received a briefing from Legal Counsel and provided direction to Legal Counsel; regarding All Bargaining Units, Council received a briefing on the status of labor negotiations; no action was taken; and regarding Interim City Manager, Council received a briefing; no action was taken.

Adjournment

There being no further business, Mayor Johnson adjourned the Special Meeting at 7:40 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

The agenda for this meeting was posted in accordance with the Brown Act.

MINUTES OF THE SPECIAL JOINT CITY COUNCIL AND
COMMUNITY IMPROVEMENT COMMISSION (CIC) MEETING
TUESDAY- -OCTOBER 6, 2009- -7:25 P.M.

Mayor/Chair Johnson convened the joint meeting at 7:47 p.m.
Councilmember/Commissioner Matarrese led the Pledge of Allegiance.

ROLL CALL - Present: Councilmembers/Commissioners deHaan,
Gilmore, Matarrese, Tam, and Mayor/Chair
Johnson - 5.

Absent: None.

CONSENT CALENDAR

Councilmember/Commissioner Tam moved approval of the Consent Calendar.

Councilmember/Commissioner Matarrese seconded the motion, which carried by unanimous voice vote - 5. [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(*09-371 CC/*09-36 CIC) Minutes of the Special Joint City Council and CIC Meeting held on September 15, 2009. Approved.

(*09-372 CC/*09-37 CIC) Recommendation to Award a Consultant Agreement to Hdl Coren & Cone for Review and Analysis of Property Tax Revenues and Identification and Correction of Errors. Accepted.

(*09-38 CIC) Resolution No. 09-162, "Authorizing the Interim Executive Director to Submit an Application to the Environmental Protection Agency for a Brownfield's Cleanup Grant Program for the Alameda Landing Residential Project." Adopted.

AGENDA ITEMS

None.

ADJOURNMENT

There being no further business, Mayor/Chair Johnson adjourned the joint meeting at 7:48 p.m.

Respectfully submitted,

Lara Weisiger, City Clerk
Secretary, CIC

The agenda for this meeting was posted in accordance with the Brown Act.